



# HOUSE BILL 1054: Spindale/Cape Fear Sewer Fee Collection

2013-2014 General Assembly

**Committee:** House Finance  
**Introduced by:** Rep. Hager  
**Analysis of:** Second Edition

**Date:** June 25, 2014  
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**SUMMARY:** *House Bill 1054 would authorize the Town of Spindale and the Cape Fear Public Utility Authority to collect an unpaid sewer availability fee in the same manner as delinquent property taxes are collected.*

**CURRENT LAW:** G.S. 160A-31 authorizes municipalities to collect a sewer availability fee. G.S. 162A-6 authorizes a water and sewer authority to collect a sewer availability fee.

**BILL ANALYSIS:** House Bill 1054 authorizes the Town of Spindale and the Cape Fear Public Utility Authority to adopt ordinances providing for collection of a delinquent sewer availability fee in the same manner as delinquent property taxes.

Delinquent property taxes may be collected in the following ways:

- Placement under lien and sale of real property.
- Attachment and garnishment of wages and bank accounts.
- Levy and sale of personal property.

**EFFECTIVE DATE:** This act is effective when it becomes law.

**BACKGROUND:** The following local legislation regarding delinquent water and sewer fees has been enacted:

- S.L. 1993-768: Authorizes City of Durham to collect delinquent water and sewer fees resulting from leaking or broken pipes of the real property owner in the same manner as property taxes.
- S.L. 2003-270: Authorizes Davie, Duplin, and Lenoir Counties, the municipalities in these counties, and in Columbus County, and water and wastewater authorities in Davie, Duplin, and Lenoir Counties to collect delinquent water and sewer fees in the same manner as delinquent property taxes.
- S.L. 2009-402 Authorizes Montgomery County to collect delinquent water and sewer fees in the same manner as delinquent property taxes.
- S.L. 2010-59 Authorizes the City of Locust and the Towns of New London and Stanfield to collect delinquent sewer fees in the same manner as delinquent property taxes.

*Giles Perry with the Research Division substantially contributed to this summary.*

